HIGH COURT OF UTTARANCHAL AT NAINITAL

(Court's order whether the case is or not approved for reporting.)

(Chapter VIII Rule 32 (2) (b)

Description of the case.

W.P. No. 1958/2005 (S/S)
Smt. Ruby Saini
Vs
State of Uttaranchal
& others.

Approved for reporting.

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Not approved for reporting

Date of decision 22.12.2005

Initial of Judge

In the High Court of Uttaranchal, at Nainital.

Interim Relief Application No. 12314/2005
With
Writ Petition No. 1958 (S/S) of 2005.

Smt. Ruby Saini W/o Dr. Ashok Pundir,
R/o 600, Sainik Colony Roorkee,
District Haridwar ……Petitioner.

Versus

1. State of Uttaranchal through
   The Secretary Intermediate Education
   Government of Uttaranchal,
   Secretariat, Dehradun, Uttaranchal.

2. Director, Intermediate Education,
   Uttaranchal, Dehradun.

3- Joint Director, Garhwal Mandal,
   Pauri Garhwal, District Pauri
   Garhwal ……Respondents.

Sri Lok Pal Singh, learned counsel for the petitioner.
Sri Harendra Balwal, learned S.C. for the respondents.

Hon'ble Rajesh Tandon, J.

Heard Sri Lok Pal Singh, learned counsel for the petitioner and Sri Harendra Belwal, learned S.C. for the respondents.

By the present writ petition the petitioner has prayed to issue writ of mandamus directing the respondents to give appointment to the petitioner to the post of Assistant Teacher L.T. Grade. The said prayer can not be granted.

Briefly stated the facts giving rise to this writ petition are that the petitioner is Graduate along with the Home Science and also passed her B. Ed. Examination from Meerut University, which is recognized University under the Universities Act. Chart of Educational/Academic qualification of petitioner is reproduced as under:-

Sl. No.	Education	Year	Name of Board/Institution	Percentage
1	High School	1978	U.P. Board	43.6
2	Intermediate	1980	U.P. Board	48.6
3	Graduation	1982	Meerut University, Meerut	47.8
4	Bachelor of Education (B.Ed.)	1991	Chaudhary Charan Singh, University, Meerut	Theory-48.3 Practical-61

It was also alleged by the petitioner that she possesses the minimum qualification mentioned in the advertisement and she applied for an appointment against the post of Assistant Teacher L.T. Grade (Home Science).

However, the petitioner has confined her grievances only to the extent that she has made a representation on 12-10-2005, Annexure No.-3 to the writ petition regarding the appointment having been made for the post of Assistant Teacher, L.T. Grade for which she was qualified.

Since the petitioner has filed the representation, it will be just and proper to direct the respondents to decide his representation. The petitioner has filed her representation before the respondent No. 3. However, liberty is given to the petitioner to move her representation before the respondent No. 2. If the petitioner files fresh representation before the respondent No. 2, he will decide the same within six weeks from the date of production of certified copy of this order.

With the above observations the writ petition is disposed of finally.

(Rajesh Tandon, J.)
22-12-2005

ISB